

Fort Riley Command



“Riley’s Rules”

2-8. Driving Under the Influence of Alcohol or Other Drugs.

a. Driving under the influence (DUI) of alcohol or other drugs has a detrimental effect on the readiness, morale, and discipline of the command. Soldiers engaging in this type of misconduct, endanger themselves and other individuals lawfully using our roads. Driving under the influence of alcohol or other drugs calls into question the soldier's judgment and professionalism and brings discredit upon the soldier, the command, and the United States Army. Education and discipline of our soldiers is the key to maintaining a trained and ready force.

b. **POLICY.** A General Officer Memorandum of Reprimand (GOMOR) will be issued to soldiers involved in alcohol related driving incidents where the Blood Alcohol Content (BAC) is above the legal limit for the State of Kansas. A GOMOR has no effect upon disciplinary action that the chain of command may choose to take.

c. **ROLE OF SENIOR LEADERSHIP.** Senior leadership at Fort Riley will be actively involved in the education and discipline of the soldiers in their command. Senior leadership will ensure alcohol and drug abuse prevention education and training is provided to soldiers on a regular basis. Additionally, the senior leadership should ensure all soldiers receive training on the disciplinary consequences of driving under the influence of alcohol or other drugs. Finally, leaders at all levels must set the example for responsible conduct.

d. Under Kansas State Law, any person with a BAC of .08% or over is considered to be legally intoxicated. Effective 1 January 1997, Kansas State Law made it unlawful for anyone under 21 years of age to operate a motor vehicle with a BAC of .02% or greater. Commission of a second offense will require initiation of involuntary separation action under the provisions of AR 635-200, Enlisted Personnel, 1 November 2000, Chapter 14 for enlisted personnel or AR 600-8-24, Officer Transfers and Discharges, 3 February 2003, for officers.

e. GOMORs will be initiated on any under-age soldier involved in a drinking and driving related incident in violation of Kansas law. A GOMOR will also be initiated on all other soldiers involved in a drinking and driving related incident with a BAC of .08%. Once the GOMOR is signed, the soldier will be called to report to the Administrative Law office for service of the letter. The soldier will be provided seven working days to submit rebuttal matters to the GOMOR. The chain of command will be given the rebuttal packet for their endorsement and recommendation to the Commanding General on where to file their soldier's GOMOR.

f. COMMAND ACTIONS WHEN A SOLDIER IS APPREHENDED FOR DUI.

(a) **Referral to ASAP.** In accordance with AR 190-5, Motor Vehicle Traffic Supervision, 8 July 1988, paragraph 2-9(c), all soldiers apprehended for driving under the influence of alcohol, on or off post, will be command referred to the Army Substance Abuse Program (ASAP), MEDDAC, for evaluation.

(b) **General Officer Memorandum of Reprimand (GOMOR).** GOMORs will be initiated for all soldiers charged with driving under the influence of alcohol when the offense otherwise meets the criteria of AR 190-5, paragraph 2-7(a)(1)-(4) and other provisions of these Rules. This includes soldiers who are granted "diversions" by civilian authorities.

(c) **Separation for Multiple Driving Under the Influence Offenses.** The chain of command will initiate separation action under the provisions of AR 635-200, Enlisted Personnel, 1 November 2000, Chapter 14, for any soldier who commits a second offense of driving under the influence of alcohol when the offense otherwise meets the criteria of AR 190-5, paragraph 2-7(a)(1)-(4). This also includes soldiers who are granted "diversions" by civilian authorities.

g. **DUI EDUCATION REQUIREMENTS.** When a soldier commits a DUI offense, the following education and awareness activities will take place. The intent of these activities is not to punish the soldier, but to increase the level of awareness within the unit of the effects and consequences of driving while under the influence of alcohol and to deter future incidents of misconduct.

(1) Within 10 working days after final legal adjudication for the offense, attend an AAR conducted with his/her entire company/battery/troop chain of command (includes all Team Leaders, Squad Leaders, Section Leaders, Platoon Leader, and Platoon Sergeant). The AAR will include all members of the soldier's platoon or equivalent. The Company Commander will chair the AAR. Results of the AAR will be communicated in writing through the Battalion and Brigade Commander to the Commanding General (cc: Installation CSM). This AAR will not take place during duty hours.

(2) With their platoon (or equivalent level unit), attend the "Soldiers Against Drunk Driving" class within 15 working days of the incident. Class will be coordinated and scheduled by the Platoon Leader and taught by the Military Police. This class will not take place during duty hours. Completion of this requirement will be reported through the chain of command to the Brigade level commander who will report the completion to the Chief of Staff.

4-3. Army Substance Abuse Program Policy.

a. The Army Substance Abuse Program (ASAP) is a management tool, which has a number of functional components. The prevention of alcohol and other drug (AOD) abuse is critical to the readiness of Fort Riley. The ASAP has professionals available to assist commanders in developing prevention strategies for their units. AR 600-85, Army Substance Abuse Program, 1 October 2001 governs the conduct of the program.

b. A prevention tool that has become one of the true success stories in the military is the Installation Biochemical Collection Point (IBCP). The level of testing needs to be consistent with FORSCOM recommendations. Units will randomly test the equivalent of 40% of their strength per quarter. At a minimum, to realize the greatest deterrent effect, commanders should test small numbers of soldiers on a random and frequent basis. This is much more effective than total unit sweeps. The staff of the IBTP can assist commanders and their Unit Prevention Leaders to structure the program at any unit level. All new soldiers reporting for duty to Fort Riley must be tested at least once while in the in-processing phase.

c. Soldiers who have been identified through an AOD related incident will be referred by their commanders within five duty days for an ASAP evaluation. If there is suspicion that a soldier may have a problem for any reason, arrangements will be made by the unit to have the soldier evaluated. If, in consultation with the ASAP staff, it is determined that the soldier should be retained and receive the benefit of treatment, entry into the ASAP rehabilitation program should be made. If it is determined that it is

4-2 in the best interest of the military not to treat the soldier, then the soldier should be separated expeditiously. Once the decision to treat the soldier is made, treatment must become the priority for that soldier. Appointments will not be canceled because of other duties or field exercises. In the case of major military exercises or deployment (i.e. NTC), soldiers, except those who have been identified as a danger to themselves or others or a possible embarrassment to the government, will participate in those exercises. Consultation with the ASAP staff will assist commanders in making that determination.

d. Given the realities of the smaller fighting force, it is imperative that the country's best be given the opportunity to serve. We have to give the soldiers within our charge the opportunity to excel. The ASAP is a commander's tool to ensure the quality of soldiers and quality of life for the total Army family.